

**EXHIBIT A**

# United States of America

United States Patent and Trademark Office



**Reg. No. 4,849,062**

**Registered Nov. 10, 2015**

**Int. Cl.: 33**

**TRADEMARK**

**PRINCIPAL REGISTER**

E. & J. GALLO WINERY (CALIFORNIA CORPORATION)  
600 YOSEMITE BOULEVARD  
MODESTO, CA 95354

FOR: ALCOHOLIC BEVERAGES EXCEPT BEERS, IN CLASS 33 (U.S. CLS. 47 AND 49).

FIRST USE 8-31-2009; IN COMMERCE 8-31-2009.

THE MARK CONSISTS OF A THREE-DIMENSIONAL CONFIGURATION OF A GREEN BOTTLE WITH A SILVER COVER ON THE NECK AND CAP OF THE BOTTLE. AT THE BASE OF THE NECK IS A LIGHT BLUE NECK LABEL, AND THERE IS A LIGHT BLUE SQUARE BOTTLE LABEL POSITIONED ON THE LOWER MIDSECTION OF THE BOTTLE. THE BROKEN LINES DEPICTING THE SHAPE OF THE BOTTLE ARE INTENDED TO SHOW THE POSITION OF THE MARK ON THE GOODS AND ARE NOT PART OF THE MARK.

THE COLOR(S) GREEN, SILVER AND LIGHT BLUE IS/ARE CLAIMED AS A FEATURE OF THE MARK.

SEC. 2(F).

SER. NO. 86-370,064, FILED 8-18-2014.

AMY ALFIERI, EXAMINING ATTORNEY



*Michelle K. Lee*

Director of the United States  
Patent and Trademark Office

**REQUIREMENTS TO MAINTAIN YOUR FEDERAL  
TRADEMARK REGISTRATION**

**WARNING: YOUR REGISTRATION WILL BE CANCELLED IF YOU DO NOT FILE THE  
DOCUMENTS BELOW DURING THE SPECIFIED TIME PERIODS.**

**Requirements in the First Ten Years\***

**What and When to File:**

**First Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) between the 5th and 6th years after the registration date. *See* 15 U.S.C. §§1058, 1141k. If the declaration is accepted, the registration will continue in force for the remainder of the ten-year period, calculated from the registration date, unless cancelled by an order of the Commissioner for Trademarks or a federal court.

**Second Filing Deadline:** You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between the 9th and 10th years after the registration date.\*  
*See* 15 U.S.C. §1059.

**Requirements in Successive Ten-Year Periods\***

**What and When to File:**

You must file a Declaration of Use (or Excusable Nonuse) **and** an Application for Renewal between every 9th and 10th-year period, calculated from the registration date.\*

**Grace Period Filings\***

The above documents will be accepted as timely if filed within six months after the deadlines listed above with the payment of an additional fee.

**\*ATTENTION MADRID PROTOCOL REGISTRANTS:** The holder of an international registration with an extension of protection to the United States under the Madrid Protocol must timely file the Declarations of Use (or Excusable Nonuse) referenced above directly with the United States Patent and Trademark Office (USPTO). The time periods for filing are based on the U.S. registration date (not the international registration date). The deadlines and grace periods for the Declarations of Use (or Excusable Nonuse) are identical to those for nationally issued registrations. *See* 15 U.S.C. §§1058, 1141k. However, owners of international registrations do not file renewal applications at the USPTO. Instead, the holder must file a renewal of the underlying international registration at the International Bureau of the World Intellectual Property Organization, under Article 7 of the Madrid Protocol, before the expiration of each ten-year term of protection, calculated from the date of the international registration. *See* 15 U.S.C. §1141j. For more information and renewal forms for the international registration, see <http://www.wipo.int/madrid/en/>.

**NOTE: Fees and requirements for maintaining registrations are subject to change. Please check the USPTO website for further information. With the exception of renewal applications for registered extensions of protection, you can file the registration maintenance documents referenced above online at <http://www.uspto.gov>.**

**NOTE: A courtesy e-mail reminder of USPTO maintenance filing deadlines will be sent to trademark owners/holders who authorize e-mail communication and maintain a current e-mail address with the USPTO. To ensure that e-mail is authorized and your address is current, please use the Trademark Electronic Application System (TEAS) Correspondence Address and Change of Owner Address Forms available at <http://www.uspto.gov>.**

**For assistance with TSDR**, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

**Processing Wait Times:** Please note that due to an extraordinary surge in applications, processing times are longer than usual. See [current trademark processing wait times](#) for more information.

STATUS DOCUMENTS MAINTENANCE

[Back to Search](#)

Print

Generated on: This page was generated by TSDR on 2022-05-11 14:41:56 EDT

Mark:



US Serial Number: 86370064

US Registration Number: 4849062

Filed as TEAS Plus: Yes

Application Filing Date: Aug. 18, 2014

Registration Date: Nov. 10, 2015

Currently TEAS Plus: Yes

Register: Principal

Mark Type: Trademark



TM5 Common Status

Descriptor:

LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office.

Status: A Sections 8 and 15 combined declaration has been accepted and acknowledged.

Status Date: Feb. 18, 2021

Publication Date: Aug. 25, 2015

## Mark Information

Mark Literal Elements: None

Standard Character Claim: No

Mark Drawing Type: 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)

Description of Mark: The mark consists of a three-dimensional configuration of a green bottle with a silver cover on the neck and cap of the bottle. At the base of the neck is a light blue neck label, and there is a light blue square bottle label positioned on the lower midsection of the bottle. The broken lines depicting the shape of the bottle are intended to show the position of the mark on the goods and are not part of the mark.

Color Drawing: Yes

Color(s) Claimed: The color(s) green, silver and light blue is/are claimed as a feature of the mark.

Acquired Distinctiveness Claim: In whole

Design Search Code(s): 19.09.02 - Jars with bulging or protruding sides; Bottles, jars or flasks with bulging, protruding or rounded sides; Flasks with bulging or protruding sides

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis (..) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

For: Alcoholic beverages except beers

International Class(es): 033 - Primary Class

U.S Class(es): 047, 049

Class Status: ACTIVE

Basis: 1(a)

First Use: Aug. 31, 2009

Use in Commerce: Aug. 31, 2009

Basis Information (Case Level)

Filed Use: Yes  
Filed ITU: No  
Filed 44D: No  
Filed 44E: No  
Filed 66A: No

Currently Use: Yes  
Currently ITU: No  
Currently 44E: No  
Currently 66A: No  
Currently No Basis: No

Privacy - Terms



Filed No Basis: No

Current Owner(s) Information

Owner Name: E. & J. Gallo Winery  
Owner Address: 600 Yosemite Boulevard  
Modesto, CALIFORNIA UNITED STATES 95354  
Legal Entity Type: CORPORATION  
State or Country Where Organized: CALIFORNIA

Attorney/Correspondence Information

Attorney of Record  
Attorney Name: Kristi W. Whalen  
Attorney Primary Email [tm.group@ejgallo.com](mailto:tm.group@ejgallo.com)  
Address:  
Docket Number: USNAL4-005-e  
Attorney Email Authorized: Yes

Correspondent  
Correspondent Name/Address: Kristi W. Whalen  
600 Yosemite Boulevard  
MODESTO, CALIFORNIA UNITED STATES 95354  
Phone: (209) 341-6349  
Correspondent e-mail: [tm.group@ejgallo.com](mailto:tm.group@ejgallo.com)  
Correspondent e-mail Authorized: Yes

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Feb. 18, 2021	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Feb. 18, 2021	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	81927
Feb. 18, 2021	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	
Nov. 10, 2020	TEAS SECTION 8 & 15 RECEIVED	
Nov. 10, 2020	COURTESY REMINDER - SEC. 8 (6-YR) E-MAILED	81927

5/11/22, 2:43 PM

Status Search SN 4849062

Feb. 14, 2020	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 14, 2020	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Nov. 10, 2015	REGISTERED-PRINCIPAL REGISTER	
Aug. 25, 2015	OFFICIAL GAZETTE PUBLICATION CONFIRMATION E-MAILED	
Aug. 25, 2015	PUBLISHED FOR OPPOSITION	
Aug. 05, 2015	NOTIFICATION OF NOTICE OF PUBLICATION E-MAILED	
Jul. 18, 2015	LAW OFFICE PUBLICATION REVIEW COMPLETED	73797
Jul. 18, 2015	ASSIGNED TO LIE	73797
Jul. 02, 2015	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 09, 2015	TEAS/EMAIL CORRESPONDENCE ENTERED	88889
Jun. 09, 2015	CORRESPONDENCE RECEIVED IN LAW OFFICE	88889
Jun. 09, 2015	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Dec. 09, 2014	NOTIFICATION OF NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2014	NON-FINAL ACTION E-MAILED	6325
Dec. 09, 2014	NON-FINAL ACTION WRITTEN	77765
Nov. 26, 2014	ASSIGNED TO EXAMINER	77765
Aug. 30, 2014	NOTICE OF DESIGN SEARCH CODE E-MAILED	
Aug. 29, 2014	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Aug. 21, 2014	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: TMEG LAW OFFICE 109

Date in Location: Feb. 18, 2021

## Assignment Abstract Of Title Information - Click to Load

## Proceedings - None recorded

Privacy - Terms